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1 Accordingly, the applicant was required to elect only one of the inventions for
2 prosecution.

3
4 By reference (c) election was duly made and prosecution was then completed on
5 the merits. However, the applicant's review of the claims now in final approved form
6 reveals that all remaining independent claims allowed are now generic to all species
7 previously submitted in the original application, including the non-elected species.
8

9 By insertion of two dependant claims in the instant application, the previously
10 non-elected species may be included in its final form. This is arguably the only viable
11 option, because the independent claims are generic to both species. Therefore, a
12 divisional application for the previously non-elected invention would be inappropriate in
13 that it would, in theory, result in a "double patent".
14

15 Therefore, under the provisions of 37 CFR 1.312, the applicant respectfully
16 requests reinsertion of the previously non-elected claims and associated specification
17 portions.
18

19 Since amendment of the specification is by cancellation and substitution, for the
20 convenience of the examiner, the changed reinserted portions of the clean texts are in
21 bold font.
22

23 Appendices 1 and 2 are the amended specification and pending claims,
24 respectively, marked up to show changes. Appendices 3 and 4 are clean copies of the
25 complete specification, and pending claims, respectively. Appendix 6 is a historical list
26 of all claims past and pending, annotated accordingly. Appendix 7 is a complete copy of
27 the amended application in clean form.
28

29 AMENDMENTS to the SPECIFICATION
30

31 Please cancel the specification in its entirety and substitute the new specification
32 from appendix (4a).
33

34 AMENDMENTS to the CLAIMS
35

36 Please insert new claims 57 and 58 as follows:
37

38 **57. An engine machine as in claim 27 wherein the means of admitting air or**
39 **air/fuel mixture into each cylinder is a "pop-top" piston comprising a valve**

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in the piston head that periodically opens to admit new air or fuel/air mixture for each combustion.

58. An engine machine as in claim 27 wherein the means of admitting the fuel component of the air/fuel mixture into each cylinder is via a fuel injector for each cylinder.

AMENDMENTS to the FIGURES

Please reinsert fig. 9, 10, 11, 12 and 12(a), already on file as previously submitted.

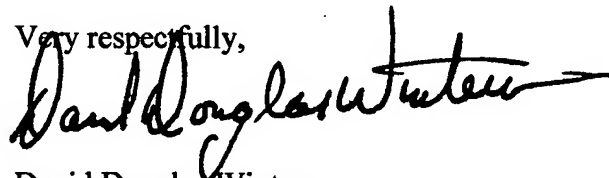
CONCLUSION

For all of the above reasons, and in view of the above amendments and clarifications, the applicant submits that his amended specification and claims all demonstrate unity of invention and continue to define art patentable over previous technologies. Therefore, the applicant submits this application in condition for allowance, which action he respectfully solicits.

If, for any reason, this application is not believed to continue in full condition for allowance, the applicant respectfully requests constructive assistance in order that the undersigned can place this application in allowable condition as soon as possible and without the need for further proceedings.

A credit card authorization form for \$50 is enclosed to defray the expense of two additional dependant claims. The applicant has small entity status.

Very respectfully,



David Douglas Winters
Reg. # 50,746

- Enclosures:
- 1) Appendix 1: Specification Amendment C, Marked-up
 - 2) Appendix 2: Pending Claims Amendment C, Marked-up
 - 3) Appendix 3: Specification Amendment C, Clean Copy
 - 4) Appendix 4: Pending Claims Amendment C, Clean Copy
 - 5) Appendix 5: Historical List of Past and Pending Claims (annotated) Amendment C
 - 6) Appendix 6: Complete Application, Amendment C Clean Copy

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I certify that on the date below, this document and referenced attachments will be deposited with the EXPRESS MAIL US POSTAL SERVICE on the date indicated, addressed to: "Commissioner for Patents, P.O. Box 1450; Alexandria, VA 22313-1450, USA.

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